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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/115,273	07/14/1998	MATTHEW J. MASON	PLAT-01001US	1196
7590	04/01/2004		EXAMINER	
Robert R. Lech, Esq. Calfee, Halter & Griswold, LLP 21 East State Street Suite 1650 Columbus, OH 43215-4243			NGUYEN, CAO H	
			ART UNIT	PAPER NUMBER
			2173	
			DATE MAILED: 04/01/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>09/115,273</b>	Applicant(s) <b>Mason</b>
Examiner <b>Cao (Kevin) Nguyen</b>	Art Unit <b>2173</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Sep 9, 2003

2a)  This action is FINAL.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 17-24, 41-48, 65-72, and 81-87 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 17-24, 41-48, 65-72, and 81-87 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892)

4)  Interview Summary (PTO-413) Paper No(s). 24

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

6)  Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 17-24, 41-48, 65-72 and 81-87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes, Jr. et al. (US Patent No. 6,339,826) in view of Schneider et al. (US Patent No. 6,105,027).

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Regarding claim 1, Hayes discloses a configuration device configured to perform configuration management functions on objects within said configuration management system (see col. 7, lines 1-67); a server machine for executing said configuration device and producing display information for said representation of said objects within said configuration management system; and a network interface connecting said server machine to a network, wherein said network interface is a web interface and said network is one of the Internet and an intranet (see col. 18, lines 14-67 and figure 13); wherein said server machine transmits information produced by said configuration device and said display information over said network for display on a remote computer (see figure 1-2); however, Hayes fails to explicitly teach a display device configured to display a representation of objects in a presentation having a tree display of objects in configuration management system, and a content display that displays items selected in tree display.

Schneider teaches a display device configured to display a representation of objects in a presentation having a tree display of objects in configuration management system, and a content display that displays items selected in tree display (see col. 22, lines 36-61). It would have been obvious to one of an ordinary skill in the art at the time the invention was made to provide a display device configured to display a representation of objects in a presentation having a tree display of objects in configuration management system, and a content display that displays items selected in tree display as taught by Schneider client-server system of Hayes in order to provide a user interface is painted by a tree rendering component that allows intuitive navigation and

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interpretation of the tree structure; and wherein the transmitted information includes one of an Active X component, Visual Java program, Java applet, and PERL program configured to utilize the information produced by said configuration device in said presentation (see col. 27, lines 5-50).

Regarding claims 18 and 42, Hayes discloses wherein said one of an Active X component, Visual Java Program, Java applet, and PERL program are further configured to provide access to selected of said configuration management functions (see col. 6, lines 14-67).

Regarding claim 19, Hayes discloses wherein said selected configuration management functions include at least one of object state changes, object check-in, object check-out, create package, difference of disparate objects, move package, promote package, demote package, snapshot, approve, list version, list difference, remove item, notify, concurrent merge, cross environment merge, interactive merge, execute user defined process (UDP); and state changes are performed by drag and drop procedures utilizing said representation of objects (see col. 12, lines 1-64).

Regarding claim 22, Hayes discloses wherein said report generator generates said access reports when the selected object is one of a user group, object, and environment; said package based reports when the selected object is a package; and said version control reports when the selected object is a package (see col. 15, lines 5-67).

Regarding claims 23 and 24, Hayes discloses wherein said report generator is configured to produce said reports in InfoReport report formats; and access reports include information

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indicating which users and user groups have access to execute specified functions in an environment; version control reports include a list of items organized by at least one of version, check out parameters, branches, modification by user, modification by environment, and current release; and said package based reports include a list of items organized by at least one of items modified by packages, packages by state, time in state, and packages by form items (see col. 20, lines 18-64).

Regarding claim 43, Hayes discloses selected configuration management functions include at least one of object state changes, object check-in, object check-out, create package, difference of disparate objects, move package, promote package, demote package, snapshot, approve, list version, list difference, remove item, notify, concurrent merge, cross environment merge, interactive merge, execute user defined process (UDP), and said method further comprises the step of: performing said state changes by drag and drop procedures utilizing said representation of said objects (see col. 21, lines 1-63).

As claims 44-48, 65-72 and 81-83 are analyzed as previously discussed with respect to claims 17-24 and 41-43.

Claim 84 differs from claim 17 in that "a registration device configured to register an application as associated with a type of version; and a view version device configured to, check out a version from configuration management system, and execute an application registered as associated with the version checked out" which set to reply upon Hayes (see col. 11-12, lines 1-65).

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As claims 85-87 are analyzed as previously discussed with respect to claims 1 and 85.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

4. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 746-7239 may be used for formal communications or (703) 746-7240 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

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*Inquires*

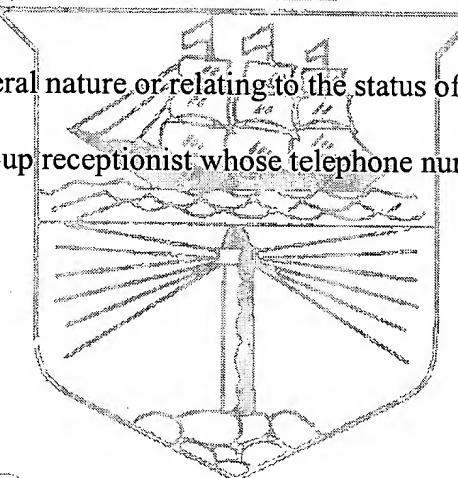
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (703) 305-3972. The examiner can normally be reached on Monday-Friday from 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached on (703) 308-3116. The fax number for this group is (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

March 8, 2004



UNITED STATES OF AMERICA